

1 Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the
District of Maine
Division

U.S. DISTRICT COURT
DISTRICT OF MAINE
PORTLAND
RECEIVED & FILED

2021 AUG 11 P 12:43

Jonathan Oliver~~Town of Monticello~~ - So

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☒ Yes ☐ No
Town of Monticello see attached

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Jonathan Oliver470 US Highway 1Monticello ~~Monticello~~ - SoMaine 047602077688585Oliver.jonathan72@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Town of Monticello
Ginger Prier
Clarisa Parker

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Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

³⁰
~~Town of Monticello~~
 405 US highway 1
 Monticello
 Maine 04760
 2075389500
 Oliver.jonathan.22@yahoo.com

Defendant No. 2

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Clarissa Porter
 Enforcement officer
 590 Rt 1
 Hodgdon
 ME
 2075389500

Defendant No. 3

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Ginger Prier
 Town Manager
 405 US Rt 1
 Monticello, ME
 Maine 04760
 2075389500

Defendant No. 4

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

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Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff (name) Jonathan Oliver is a citizen of the
State of (name) Maine

b. If the plaintiff is a corporation

The plaintiff (name) _____ is incorporated
under the laws of the State of (name) _____
and has its principal place of business in the State of (name) _____

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant (name) Clarissa Porter is a citizen of
the State of (name) Maine Or is a citizen of
(foreign nation) _____

b. If the defendant is a corporation

The defendant (name) Town of Monticello is incorporated under
the laws of the State of (name) Maine and has its
principal place of business in the State of (name) Maine
Or is incorporated under the laws of (foreign nation) _____
and has its principal place of business in (name) _____

See attached

The defendants:

Ginger Pryor is a citizen of
the State of Maine

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(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

Violation of due process causing harm or risk of harm to plaintiff,
The town, by policy and action, have violated the
plaintiff's rights and made him de facto homeless on his own
land.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see attached

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

see attached

Statement of Claim:

Since 2020 the plaintiff has attempted to get permits and other town processes from the Monticello ~~only~~ town managers and enforcement officers. The managers and Town zoning person both refused to provide necessary documents and other processes according to town rules. They then used the mail and court system to inappropriately threaten the plaintiff with unlawful enforcement action and filed a harassment order that prevents appeal and access to the town 175 year celebration events and town services. None of the available court or administrative processes are adequate to allow the right to access the property without threat of enforcement without the plaintiff suffering lack of access to shelter and welfare. The plaintiff's garden has been damaged ~~by the town~~. He could not assemble lawfully. ~~He could not assemble lawfully.~~ He cannot engage in discourse at town meetings. All town rules and state law allow for legal use of the land. Clarissa Porter and Ginger Prior did not use accurate information in their ~~testimony~~ or in the certified letter sent to the plaintiff.

Relief:

The plaintiff requests injunctive relief in the form of an order to establish a septic and service connection at the property location 420 US highway 1 Monticello ME 04760.

The plaintiff requests monetary damages because of the hardships faced by him including public humiliation and ridicule, the loss of revenue or marketability of title, and the loss of being able to participate in town functions.

amount requested:

\$ 1,000,000

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/5/21
Signature of Plaintiff Jonathan Oliver
Printed Name of Plaintiff Jonathan Oliver

B. For Attorneys

Date of signing: _____
Signature of Attorney _____
Printed Name of Attorney _____
Bar Number _____
Name of Law Firm _____
Street Address _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____